

## **REMARKS**

This paper responds to the Office Action mailed September 6, 2005. Prior to entry of this paper, Claims 38, 41, 43-45, 53-56, and 58-60 were pending in the present Application. In this amendment, Claims 38, 41, 43-45, 53-56, and 58-60 are canceled without prejudice to Applicants' right to pursue the subject matter of the cancelled claims in one or more related applications, while new Claims 61-91 are presented for examination. Thus, following entry of the present amendment, Claims 61-91 will be pending and under consideration.

Applicants kindly thank Examiner Winkler for her remarkable courtesy during the interview on December 19, 2005.

### **I. The Amendments to the Claims**

In the present paper, Claims 38, 41, 43-45, 53-56, and 58-60 are cancelled and new Claims 61-91 are presented for consideration. New claims 61-91 are fully supported by the specification and claims of the present application as originally filed. Accordingly, new Claims 61-91 do not present new matter.

In particular, support for new claims 61-91 may be found, for example, in Claims 38-51 as originally filed, and in the two paragraphs inserted into the specification at page 77 presented at pages 3-5 of the preliminary amendment filed together with the instant application. The Declaration filed in connection with this application acknowledges the amendment as part of the instant application approximately at line 11. Thus, the preliminary amendment is part of the instant application and can be used to support the amendments to the claims. *See* M.P.E.P. § 608.04(b). Thus, the amendments to the claims and the new claims are fully supported by the specification, claims, and preliminary amendment that was part of the application as filed. Therefore, no new matter is added by way of this amendment.

Applicants submit herewith a Request for Continued Examination. Accordingly, Applicants hereby request entry of the present amendment to the claims under 37 C.F.R. § 1.116.

### **II. Interview Summary**

Applicants kindly thank Examiner Winkler for granting an Interview with Applicants' representative, H. Thomas Anderton, and Applicants Christos Petropoulos and Neil Parkin, on December 19, 2005. Examiner Winkler's summary (mailed December 21, 2005) accurately reflects the substance of the interview.

### III. The Obviousness Rejection under 35 U.S.C. § 103(a)

Claims 38, 41, 43-45, 53-56, and 58-60 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious over Gao *et al.*, 1996, *Journal of Virology*, 70:1651-1667 ("Gao") and Petropoulos *et al.*, 2000, *Antimicrob. Agents. Chemother.*, 44:920-928 ("Petropoulos") in view of Zhang *et al.*, 1999, *J. Virol.* 73:5225-5230 ("Zhang") and in further view of Fang *et al.*, 1996, *J. AIDS* 12:352-357 ("Fang").

As agreed during the interview, the Declaration of Dr. Robert C. Doms, coupled with the new claims submitted herewith, overcomes any of the above-stated rejections. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be withdrawn.


### CONCLUSION

Applicants believe that claims 61-91 satisfy all the criteria for patentability and are in condition for allowance. An early indication of the same and passage of the claims to issuance is therefore kindly solicited. Further, Applicants respectfully request that the Examiner telephone H. Thomas Anderton at (650) 624-4198 prior to issuance of another Office Action should the Examiner be inclined to issue another Office Action rather than a Notice of Allowance.

No fee in addition to the Extension fee is believed due in connection with this response. However, the Commissioner is authorized to charge all required fees, fees under 37 C.F.R. § 1.17 and all required extension of time fees, or credit any overpayment, to Jones Day U.S. Deposit Account No. 503013 (order no. 101962-999007). A copy of this sheet is enclosed.

Respectfully submitted,

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